

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1292 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 4-10-10-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) Not ~~later than~~
5 ~~November 16, 1953, and not~~ later than March 2 ~~in~~ of each year,
6 ~~thereafter~~, the ~~treasurer auditor~~ of state and the disbursing officer of
7 any other state agency shall prepare or cause to be prepared a list of all
8 state warrants or checks which have been outstanding for a period of
9 two (2) or more years as of December 31 ~~last preceding~~ of the
10 **previous year.**
11 (b) Not less than four (4) copies of such lists shall be prepared or
12 caused to be prepared by the ~~treasurer auditor~~ of state and the
13 disbursing officer of each state agency.
14 (c) The original list of outstanding state warrants shall be filed with
15 the state board of finance which shall be preserved as an official record
16 of the board and become a part of the minutes of the state board of
17 finance. The duplicate copy shall be retained by the ~~treasurer auditor~~
18 of state. The third copy shall be transmitted to the ~~auditor treasurer~~ of
19 state and the fourth copy filed with the state board of accounts.
20 (d) The original list prepared by other state agencies shall be filed
21 with the ~~responsible~~ head of ~~such the~~ agency. The duplicate copy shall
22 be retained by the disbursing officer or person preparing the list. The
23 third copy shall be transmitted to the auditor of state and the fourth
24 copy transmitted to the state board of accounts.
25 SECTION 2. IC 4-10-10-5 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. (a) Upon the
27 ~~treasurer auditor~~ of state's transmitting the list of ~~such~~ outstanding
28 state warrants to the ~~auditor treasurer~~ of state, ~~such the~~ auditor of
29 **state** shall enter the amounts so listed by the treasurer **of state** as a
30 receipt into a ~~cancelled canceled~~ warrant holding account in which
31 account the funds shall be held for a period of five (5) years.

(b) The treasurer of state shall enter such amounts in ~~his~~ **the treasurer of state's** records as a receipt into the same fund as was done by the auditor of state and shall also remove the warrants from the record of outstanding warrants.

(c) All warrants that have been outstanding seven (7) years as of December 31 of any year shall be receipted into the fund from which they were originally drawn. ~~Provided, However, That~~ if the fund from which the warrants were originally drawn is not in existence, or cannot be ascertained, the amounts of such outstanding warrants shall be receipted into the **state** general fund. ~~of the state.~~

SECTION 3. IC 4-10-10-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 7. (a) If ~~any a~~ state warrant ~~shall be~~ **is** presented for payment which has been declared ~~cancelled~~ **canceled** as ~~hereinbefore~~ provided **in this chapter**, the holder of ~~such the~~ warrant shall:

(1) deliver ~~it the~~ **warrant** to the ~~treasurer~~ **auditor** of state; and ~~shall~~

(2) file a claim voucher stating under oath:

(A) that ~~he the~~ **holder** is the owner of the warrant;

(B) that the money is justly due ~~him the~~ **holder**; and

(C) relating the circumstances that prevented the warrant from being presented for payment within a reasonable time.

~~Provided, However, That~~ any warrants outstanding for more than seven (7) years shall be considered void and no recovery shall be had.

(b) If the ~~treasurer~~ **auditor** of state ~~shall find~~ **finds** the claim in order, ~~he the~~ **auditor of state** shall:

(1) approve the claim; and ~~shall transmit the claim to the auditor of state, who shall~~

(2) issue a warrant to the claimant against the holding account into which the original warrant was receipted.

SECTION 4. IC 4-10-10-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 8. (a) If ~~any a~~ check ~~shall be~~ **is** presented for payment which has been declared ~~cancelled~~ **canceled** by a state agency as ~~hereinbefore~~ provided **in this chapter**, the holder ~~thereof of the~~ **check** shall:

(1) deliver ~~such the~~ **check** to the disbursing officer of the agency who issued it, or ~~his or that officer's~~ **successor**; and ~~shall~~

(2) file with ~~such the~~ **agency** a claim voucher stating under oath: ~~he~~

(A) that **the holder** is the owner of ~~said the~~ **check**;

(B) that the money is justly due ~~him the~~ **holder**; and

(C) relating the circumstances that prevented the check from being presented for payment within a reasonable time.

~~Provided,~~

However, ~~That~~ any checks outstanding for more than seven (7) years shall be considered void.

(b) If the agency ~~shall find~~ **finds** the claim in order:

(1) the administrative officer of the agency shall approve it **the claim;** and ~~cause~~

(2) the disbursing officer ~~to~~ **shall:**

(A) issue a check or warrant payable to the holder of the ~~cancelled canceled~~ check; and ~~shall~~

(B) charge the amount of such check so issued as refund of a ~~cancelled canceled~~ check from the fund or account into which the money was receipted when the original check was declared ~~cancelled:~~ **canceled.**

SECTION 5. IC 4-10-10-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 9. The lists of outstanding state warrants or checks ~~transmitted to~~ **prepared by** the auditor of state shall be retained in the office of auditor of state for a period of ten (10) years. All other lists shall be retained until such time as they may be ordered destroyed, removed, or transferred by the commission on public records as provided by IC 5-15-5.1."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1292 as printed February 22, 2002.)

Senator BRAY